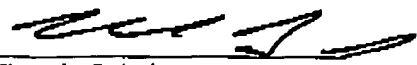


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8-25-04

Date:

  
Himanshu S. Amin**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Applicant: Pradeep Bahl, *et al.*

Examiner: Alina A. Boutah

Serial No: 09/587,204

Art Unit: 2143

Filing Date: June 5, 2000

Title: SYSTEM AND METHOD FOR AUTOMATIC DETECTION AND  
CONFIGURATION OF NETWORK PARAMETERS

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**REPLY BRIEF**

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Dear Sir:

Applicants' representative submits this Reply Brief in response to the Examiner's Answer dated July 23, 2004. A credit card payment form is filed concurrently herewith in connection with all fees due regarding this document and the Request for Oral Hearing. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP108US].

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REMARKS

Claims 1-39 are currently pending in the subject application and are presently under consideration. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments below.

**I. Rejection of Claims 1-6, 14-18, 22-34, 37 and 38 Under 35 U.S.C. §102(b)**

Claims 1-6, 14-18, 22-34, 37 and 38 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cheston, *et al.* (U.S. 6,412,025). It is respectfully submitted that this rejection should be withdrawn for at least the following reason. Cheston, *et al.* does not teach or suggest each and every aspect of the subject claims.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes *each and every limitation* set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 U.S.P.Q.2d 1597 (Fed. Cir. 2002). "A claim is anticipated only if *each and every element* as set forth in the claim is found, either expressly or inherently described in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

***Claims 1 and 24***

Independent claim 1 (and similarly independent claim 24) recites a first computer that configures a network interface based on *modifying* at least one *stored configuration* associated with received network information. In the Examiner's Answer, the Examiner concedes that Cheston, *et al.* simply *updates* terminal information within a table, but then contends that updating server tables with terminal information is synonymous with modifying stored configuration as recited in the claimed invention. Cheston, *et al.* column 5, lines 25-33 is referenced to support this contention.

However, updating a table with terminal information as taught in Cheston, *et al.* is not synonymous with modifying stored configuration as recited in the subject claims. In particular, Cheston, *et al.* defines the term update to refer to *adding or removing terminal information*

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(e.g., pointers and addresses) from disparate tables located at different servers. For example, Cheston, *et al.* discloses that when a terminal is moved from one server to another server, "any pointers to an old location must be removed so that data is not misdirected when a terminal is removed from the network and the new address provided when the terminal or personal computer is added to the network at a new location." (See col. 5, lines 25-33). Thus, Cheston, *et al.* simply removes the information associated with a moved terminal from server tables located at an old location and adds new terminal information to server tables residing at a new location.

In contrast, the subject claims recite modifying stored configuration. Unlike adding or removing terminal information from server tables as taught by Cheston, *et al.*, modifying generally refers to altering existing information. For example, the infinitive "modify" is defined as "to make minor changes in." (See <http://www.merriam-webster.com/cgi-bin/dictionary?book=Dictionary&va=modify>). Thus, modifying intrinsically indicates that some characteristics of the existing configuration are changed rather than removing the entire configuration or adding a new configuration. Since Cheston, *et al.* does not teach or suggest *modifying* at least one *stored configuration* as recited in the subject claims, Cheston, *et al.* does not anticipate the claimed invention.

#### *Claims 17 and 24*

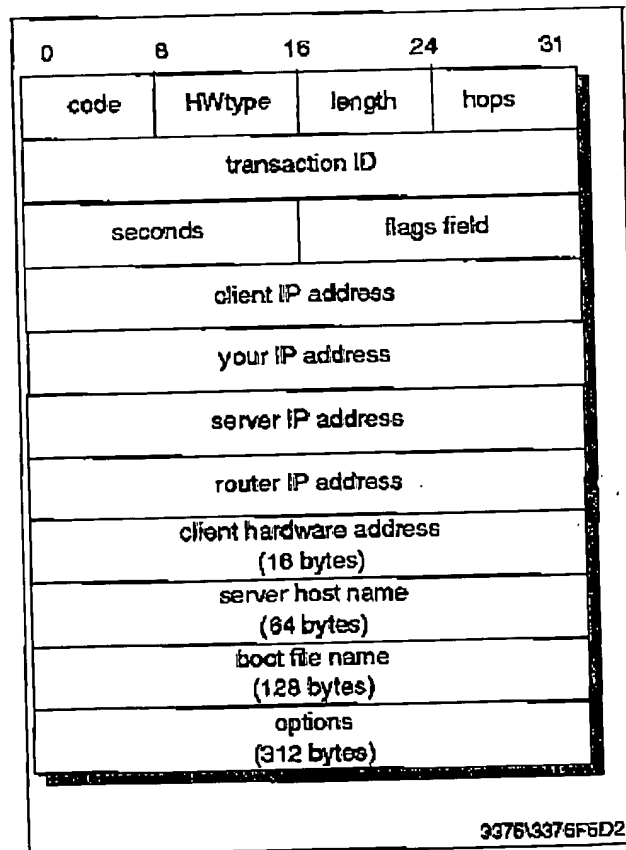
Independent claim 17 (and similarly independent claim 24) recites querying a network comprising network systems, wherein respective network systems include a delay timer with a *delay time based on a value of an associated address*. In the Examiner's Answer, it is asserted that "when a query is sent to a network, there exists a delay timer that specifies a period of time from when the query is sent until it is received." Assuming *arguendo* this assertion is correct, a query delay that specifies a delay between query transmission and query reception does not teach or suggest a network system with a delay timer with a delay time based on a value of an associated address as recited in the subject claims, and the Examiner does not link the query transmission/reception delay to the claimed invention. Moreover, the Examiner concedes Cheston, *et al.* does not expressly teach "a delay time based on a value of an associated address."

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It is further asserted in the Examiner's Answer, "for every entry in the DHCP, there exists a timer associated with each address." Assuming *arguendo* this assertion is correct, simply associating a timer with an address does not teach or suggest basing a delay time for a network system delay timer on a value of an associated address as recited in the subject claim. In addition, the timing information within a DHCP message relates to a lease time, a renewal timer, and a rebinding timer, and not a delay time as recited in the subject claim. In general, lease time defines a limited duration of time a temporary IP address is allocated, and renewal and rebinding timers are utilized to invoke requests at specified instances in time for a lease extension prior to lease expiration. Typically, if the lease is not extended prior to lease expiration, then the lease lapses and the client issues another request for an IP address, if desired.

The following is an exemplary DHCP message, which illustrates the fields and information typically provided within a DHCP message.



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The field titled "seconds" denotes the elapsed time in seconds since a client started its boot process, the field titled "options" defines the lease time and renewal and rebinding timers, and the remaining fields do not provide timing information, let alone a delay time as recited in the claimed invention. Hence, neither Cheston, *et al.* nor DHCP, alone or in combination, teach or suggest network systems with delay timers that have delay times based on values of associated addresses as recited in the subject claims.

### Claim 26

Independent claim 26 recites a system comprising a multiple internet protocol configuration (MIPC) service that *matches* the at least one network configuration stored within the first computer with a network identification associated with the information received from the second computer, wherein the match facilitates the first computer in configuring a network interface. In the Examiner's Answer, it is asserted that Cheston, *et al.* at column 4, lines 10-29 "teaches a computer terminal seeking an IP address, but does not seek a new IP address when not required" and that "in order to do this, its [the computer terminal] identification must be matched [sic] the configuration stored in the DHCP."

Applicants' representative respectfully disagree. The following is the subject text of Cheston, *et al.* from column 4, lines 10-29.

The present invention has the advantage that it seeks an Internet Protocol (IP) address when it needs one because the terminal has been moved, but *it does not seek a new IP address when the computer terminal does not require a new IP address, as when the computer terminal has been reconnected in the same place or when the previous settings will continue to be effective for the new location.*

By avoiding seeking an unnecessary new IP address, the system avoids adding an unnecessary load on the data transmission network. Since many users would turn on their terminals at about the same time (for example, at the beginning of a work day), if each user was requesting a new IP address at about the same time, the network could spend a lot of resources (use a lot of its capacity) in receiving and filling unnecessary requests for new IP addresses. Many computer terminals are not moved since the last use of the terminal, so therefore *the IP addresses stored in the*

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*terminal would be usable without a change or without even contacting the network on the matter of the IP address.*

From this excerpt, when a new IP address is not required, for example, when the terminal is reconnected to the same place or the current address can be utilized at the new location, the computer terminal does not seek a new address, but instead uses the current stored IP address *without any change or any need to contact the network* on the matter of the IP address.

Therefore, when a new IP address is not needed, the terminal does **not** contact the network or the DHCP for an IP address, but simply utilizes current settings; hence, **no** matching is required or occurs at the DHCP. Thus, the technique taught by Cheston, *et al.* to obtain an IP address when a new IP address is not required is substantially different from the claimed invention, which recites utilizing a MIPC service to **match** stored network configuration between a first computer and network identification from a second computer in order to facilitate the first computer with configuring a network interface.

#### **Claim 34**

Independent claim 34 recites a third computer system that determines a network configuration *via* communications from at least one of a first computer system and a second computer system. In the Examiner's Answer, it is asserted that Cheston, *et al.* "teaches a computer system utilizing one of the multiple computer systems to determine a network configuration" and figure 3 is referenced to support this assertion. However, figure 3 and the accompanying description are silent regarding determining network configuration as recited in the subject claim. In particular, the referenced section of Cheston, *et al.* states:

FIG. 3 illustrates, in block diagram form, a portion of a typical data transmission network 16. A plurality of computer terminals designated by T1, T2, T3, T4, T5, T6, and Tn are attached to a selected one of a plurality of servers or data routers R1, R2, Rn in a known manner, such as by cables. The routers R1, R2, Rn are operatively connected to a host H through conventional connections, which may be cables if the host is in the same building or may be telecommunications lines if the host and routers are located in different buildings or even in different cities. The routers are conventional network attachment devices of the type

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sold by a variety of manufactures such as IBM, Cisco and 3Com and servers are also well known in the trade.

From this excerpt and figure 3, Cheston, *et al.* simply provides an example of a typical network, wherein various computers are attached to one of a plurality of servers/routers and the servers/routers in turn are coupled to a host and a network. However, the section of Cheston, *et al.* does not contemplate determining a third computer system network configuration from at least one of a first computer system and a second computer system as recited in the subject claims.

In view of the above comments, it is respectfully requested that the rejection of independent claims 1, 17, 24, 26 and 34 (and claims 2-6 and 14-16, 18 and 22-23, 25, 27-33, and 37-38, which respectively depend therefrom) be withdrawn.

## **II. Rejection of Claims 7-11, 35 and 39 Under 35 U.S.C. §103(a)**

Claims 7-11, 35 and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cheston, *et al.* (U.S. 6,412,025) in view of LeMaire, *et al.* (U.S. 5,999,530). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Claims 7-11, 35 and 39 depend from independent claims 1 and 34, respectively, and LeMaire, *et al.* fails to make up for the aforementioned deficiencies of Cheston, *et al.* with respect to the base claims. Accordingly, this rejection should be withdrawn.

## **III. Rejection of Claims 12-13, 19-21 and 36 Under 35 U.S.C. §103(a)**

Claims 12-13, 19-21 and 36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cheston, *et al.* (U.S. 6,412,025) in view of Romohr (U.S. 5,596,723). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Claims 12-13, 19-21 and 36 depend from independent claims 1, 17 and 34, respectively, and Romohr does not make up for the aforementioned deficiencies of Cheston, *et al.* with respect to these independent claims. Since the combination of Cheston, *et al.* and Romohr does not teach or suggest *all* the limitations of the subject claims, it is respectfully requested that the rejection of claims 12-13, 19-21 and 36 be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments. A prompt action to such end is earnestly solicited.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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